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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 3449 OF 2004
IN
INCOME TAX APPEAL (L) NO.1473 OF 2004

The Commissioner of Income Tax ... Appellant

Versus

M/s. Harinagar Sugar Mills Ltd. ... Respondent

Mrs. P.P. Bhosale and Mr. B.M. Chatterjee for Appellant.

Mr. S.P. Mehta for Respondent.

CORAM: F.I. REBELLO &
J.P.DEVADHAR, JJ.
DATED: AUGUST 06, 2007

P.C.:

. The delay is of 331 days. We have perused the affidavit filed by Garima Jain, Deputy Commissioner of Income Tax in support of the motion. There is no explanation for the delay between the period 18.12.2003 and 4.1.2004. Considering the above, in our opinion, cause shown would not amount to sufficient cause. Hence, motion dismissed.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**